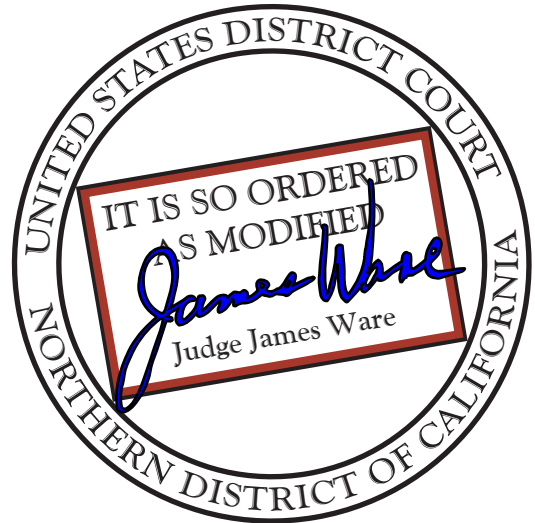


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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

CARL W. JASPER,

Defendant.

CASE NO. CV 07-6122 (JW)

STIPULATION AND [PROPOSED] ORDER
REGARDING DISCOVERY PLAN

WHEREAS, as discussed in the parties' June 29, 2009 CMC statement, certain important deponents have decided to no longer assert their rights under the 5th Amendment; and

WHEREAS due to scheduling difficulties, these depositions will now occur just prior to or after initial expert reports are due;

1 WHEREAS, the parties have agreed to an extension of certain deadlines related to
2 discovery and the exchange of information between the parties;

3 WHEREAS, the current schedule calls for objections to experts to be filed prior to the
4 close of discovery;

5 WHEREAS, the parties believe additional time is necessary to prepare rebuttal expert
6 reports; and

7 WHEREAS, the parties still anticipate a trial date in February 2010 despite the stipulated
8 changes below.

9 IT IS HEREBY STIPULATED AND AGREED THAT:

- 10 1. The last day to exchange initial expert reports shall be August 20, 2009.
- 11 2. The last day to exchange rebuttal expert reports shall be September 10, 2009.
- 12 3. The last day to file motions regarding objections to experts shall be October 15,
13 2009.
- 14 4. The last day to hear motions regarding objections to experts shall be
15 **November 16, 2009 at 9 a.m.**
- 16 5. The close of all discovery shall be October 1, 2009.
- 17 6. The last day to file dispositive motions shall be November 5, 2009.
- 18 7. The last day to hear dispositive motions shall be **December 14, 2009 at 9 a.m.**

19
20 Any other deadline calculated from, or which depends upon, the occurrence of any event
21 listed above shall be calculated using these agreed-upon dates, pursuant to the Federal Rules of
22 Civil Procedure.

23
24 DATED: June 23, 2009

Respectfully Submitted,

25
26 /s/ Mark P. Fickes

Mark P. Fickes


Erin E. Schneider

Attorneys for Plaintiff

SECURITIES AND EXCHANGE COMMISSION

ORDER

DATED: June 25, 2009


Hon. James Ware
United States District Judge